

RECEIPT



Atty Docket No. 04860.P2525X

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:
Abraham S. Farag, et al.

Application No.: 09/687,262

Filed: October 11, 2000

For: COMPUTER MOUSE HAVING SIDE AREAS TO
MAINTAIN A DEPRESSED BUTTON POSITION)

Assistant Commissioner for Patents
Washington, D.C. 20231

Examiner: Not yet assigned
Art Unit: 2673

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MAR 20 2001

Technology Center 2600

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

In the Filing Receipt for the above-referenced patent application filed on October 11, 2000, the title of the application was recorded incorrectly as follows:

COMPUTER MOUSE HAVING SIDE EARS

The correct title is as follows:

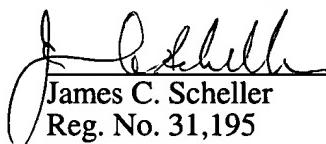
COMPUTER MOUSE HAVING SIDE AREAS TO MAINTAIN A DEPRESSED BUTTON
POSITION

Please have the Filing Receipt changed to reflect the correct title. Enclosed is a copy of the incorrect Filing Receipt with the change noted thereon as well as a copy of the Declaration/Power of Attorney which shows the correct title of the application.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 12/14 2000



James C. Scheller
Reg. No. 31,195

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408)720-8598

FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on: December 14, 2000

Date of Deposit

Anne T. Sison

Name of Person Mailing Correspondence

Signature

12/14/00

Date



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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JCS

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/687,262 | 10/11/2000 | 2673 | 710 | 004860.P2525X | 8 | 16 | 3 |

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FILING RECEIPT



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Andrew C Chen
Blakely Sokoloff Taylor & Zafman LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

Date Mailed: 11/16/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Abraham S. Farag, E. Palo Alto, CA ;
Bartley K. Andre, Menlo Park, CA ;

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MAR 20 2001

Continuing Data as Claimed by Applicant

Technology Center 2600

THIS APPLICATION IS A CIP OF 09/482,152 01/12/2000

Foreign Applications

If Required, Foreign Filing License Granted 11/16/2000

Title COMPUTER MOUSE HAVING SIDE AREAS TO MAINTAIN A DEPRESSED BUTTON POSITION
Computer=mouse=having=side=ears

Preliminary Class

345

Data entry by : GIZAW, YEGILE

Team : OIPE

Date: 11/16/2000

ENTERED

NOV 29 2000

STATUS DB-LA

11/16/00



Attorney's Docket No.: 004860.P2525X

PATENT

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(CONTINUATION-IN-PART)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COMPUTER MOUSE HAVING SIDE AREAS TO MAINTAIN A DEPRESSED BUTTON POSITION

the specification of which

X is attached hereto.
— was filed on _____ as United States Application Number _____
or PCT International Application Number _____
and was amended on _____ Technology Center 2600
(if applicable)

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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | | | <u>Priority Claimed</u> |
|-------------------------------------|-----------|------------------------|-------------------------|
| (Number) | (Country) | (Day/Month/Year Filed) | Yes No |
| _____ | _____ | _____ | Yes No |
| _____ | _____ | _____ | Yes No |
| _____ | _____ | _____ | Yes No |

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

| | |
|---------------------------|--------------------|
| <u>Application Number</u> | <u>Filing Date</u> |
| _____ | _____ |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------|------------------|--|
| <u>09/482,152</u> | <u>1-12-2000</u> | <u>pending</u> |
| Application Number | Filing Date | Status – patented, pending, abandoned |

| | | |
|---------------------------|--------------------|--|
| <u>Application Number</u> | <u>Filing Date</u> | <u>Status – patented, pending, abandoned</u> |
|---------------------------|--------------------|--|

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to James C. Scheller, Jr., BLAKELY, SOKOLOFF, TAYLOR & (Name of Attorney or Agent)
ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to James C. Scheller, Jr., (408) 720-8300. (Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Abraham S. Farag

Inventor's Signature _____ Date _____

Residence E. Palo Alto, CA _____ Citizenship United States _____
(City, State) (Country)

Post Office Address 983.5 Garden St. _____
E. Palo Alto, CA 94303 _____

Full Name of Second/Joint Inventor Bartley K. Andre

Inventor's Signature _____ Date _____

Residence Menlo Park, California _____ Citizenship United States _____
(City, State) (Country)

Post Office Address 655 14th Avenue _____
Menlo Park, California 94025 _____

APPENDIX A

William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Lisa N. Benado, Reg. No. 39,995; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Andrew C. Chen, Reg. No. 43,544; Thomas M. Coester, Reg. No. 39,637; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Clerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; George Fountain, Reg. No. 37,374; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Libby N. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Sang Hui Kim, Reg. No. 40,450; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; George Brian Leavell, Reg. No. 45,436; Kurt P. Leyendecker, Reg. No. 42,799; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Robert G. Litts, Reg. No. 46,876; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, under 37 C.F.R. § 10.9(b); Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Dennis A. Nicholls, Reg. No. 42,036; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Kenneth B. Paley, Reg. No. 38,989; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey Sam Smith, Reg. No. 39,377; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Vincent P. Tassinari, Reg. No. 42,179; Edwin H. Taylor, Reg. No. 25,129; John F. Travis, Reg. No. 43,203; Joseph A. Twarowski, Reg. No. 42,191; Tom Van Zandt, Reg. No. 43,219; Lester J. Vincent, Reg. No. 31,460; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Firasat Ali, Reg. No. 45,715; Justin M. Dillon, Reg. No. 42,486; Thomas S. Ferrill, Reg. No. 42,532; and Raul Martinez, Reg. No. 46,904, my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. I also hereby appoint Albert P. Cefalo, Reg. No. 27,315; Mark Aaker, Reg. No. 32,667; Richard Liu, Reg. No. 34,377; Helene Plotka Workman, Reg. No. 35,981; and Edward W. Scott, IV, Reg. No. 36,000; my attorneys; of APPLE COMPUTER, INC., located at 1 Infinite Loop, MS: 3-PAT, Cupertino, California 95014, telephone (408)974-9453, will full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
(2) It refutes, or is inconsistent with, a position the applicant takes in:
(i) Opposing an argument of unpatentability relied on by the Office, or
(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
(1) Each inventor named in the application;
(2) Each attorney or agent who prepares or prosecutes the application; and
(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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COMMISSIONER FOR PATENTS
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 WASHINGTON, D.C. 20231
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Bib Data Sheet

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|-----------------------------|-------------------------------------|--------------|------------------------|--------------------------------------|
| SERIAL NUMBER 09/687,262 | FILING DATE 10/11/2000 RULE - | CLASS 345 | GROUP ART UNIT 2673 | ATTORNEY DOCKET NO. 004860.P2525X |
|-----------------------------|-------------------------------------|--------------|------------------------|--------------------------------------|

APPLICANTS

Abraham S. Farag, E. Palo Alto, CA ;
 Bartley K. Andre, Menlo Park, CA ;

**** CONTINUING DATA *******

THIS APPLICATION IS A CIP OF 09/482,152 01/12/2000

**** FOREIGN APPLICATIONS *********IF REQUIRED, FOREIGN FILING LICENSE
GRANTED ** 11/16/2000**

| | | | | | |
|---------------------------------|---|------------------------|---------------------|--------------------|-------------------------|
| Foreign Priority claimed | <input type="checkbox"/> yes <input type="checkbox"/> no | STATE OR COUNTRY CA | SHEETS DRAWING 8 | TOTAL CLAIMS 16 | INDEPENDENT CLAIMS 3 |
| 35 USC 119 (a-d) conditions met | <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance | | | | |
| Verified and Acknowledged | Examiner's Signature _____ Initials _____ | | | | |

ADDRESS

Andrew C Chen
 Blakely Sokoloff Taylor & Zafman LLP
 Seventh Floor
 12400 Wilshire Boulevard
 Los Angeles ,CA 90025-1026

TITLE

Computer mouse having side areas to maintain a depressed button position

| | | |
|----------------------------|---|--|
| FILING FEE RECEIVED 840 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | <input type="checkbox"/> All Fees |
| | | <input type="checkbox"/> 1.16 Fees (Filing) |
| | | <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) |
| | | <input type="checkbox"/> 1.18 Fees (Issue) |
| | | <input type="checkbox"/> Other _____ |
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